

State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

RESEARCH APPENDIX - **PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Date Transfer Requested: 09/22/2009 (Per: RCT)

- | | |
|---|---|
| A ☞ The <u>2009</u> drafting file for
LRB-2502 | H ☞ The <u>2009</u> drafting file for
LRB-2509 |
| B ☞ The <u>2009</u> drafting file for
LRB-2503 | I ☞ The <u>2009</u> drafting file for
LRB-2510 |
| C ☞ The <u>2009</u> drafting file for
LRB-2504 | J ☞ The <u>2009</u> drafting file for
LRB-2511 |
| D ☞ The <u>2009</u> drafting file for
LRB-2505 | K ☞ The <u>2009</u> drafting file for
LRB-2528 |
| E ☞ The <u>2009</u> drafting file for
LRB-2506 | L ☞ The <u>2009</u> drafting file for
LRB-2591 |
| F ☞ The <u>2009</u> drafting file for
LRB-2507 | M ☞ The <u>2009</u> drafting file for
LRB-2592 |
| G ☞ The <u>2009</u> drafting file for
LRB-2508 | N ☞ The <u>2009</u> drafting file for
LRB-2593 |

☞ **Compile Draft – Appendix L**

has been copied/added to the drafting file for

2009 LRB-3254 (SB 279)

2009 DRAFTING REQUEST

Bill

Received: **04/09/2009**

Received By: **mkunkel**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Council - JLC**

By/Representing:

This file may be shown to any legislator: **NO**

Drafter: **mkunkel**

May Contact:

Addl. Drafters:

Subject: **Public Util. - energy**

Extra Copies:

Submit via email: **YES**

Requester's email: **john.stolzenberg@legis.wisconsin.gov**

Carbon copy (CC:) to: **larry.konopacki@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Duties of office of energy independence

Instructions:

Draft as prelim draft.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	mkunkel 07/08/2009	bkraft 07/09/2009	jfrantze 07/09/2009	_____	sbasford 07/09/2009		

FE Sent For:

<END>

2009 DRAFTING REQUEST**Bill**

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1/?	mkunkel	1 bjk 7/9		7/9			

FE Sent For:

<END>

1 **AN ACT** *to amend* 16.956 (2) (c) and 16.956 (3) (a) and (c); and *to create* 16.956 (1)
2 (bg) and (br), 16.956 (2) (c) 2. and 3. and 16.956 (4) of the statutes; **relating to:**
3 duties of the office of energy independence.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill draft was prepared for the joint legislative council's special committee on domestic biofuels. The bill draft directs the office of energy independence (OEI) to work on initiatives that have the goals of ensuring that Wisconsin is a national leader in developing biorefineries and advancing the sale and use of intermediate blends of gasoline and a biofuel.

The bill draft clarifies that OEI shall serve as the central unit of state government to coordinate the activities of all state agencies in connection with the initiatives specified in the office's enabling statute and that the other state agencies shall assist the office in fulfilling its duties.

4 **SECTION 1.** 16.956 (1) (bg) and (br) of the statutes are created to read:
5 16.956 (1) (bg) "Biorefinery" means a facility, including equipment and processes, that
6 converts biomass into fuels and products and may produce electricity.

COMMENT: This definition is based on the definition of "biorefinery" in sec. 9001 (7) in the 2008 Farm Bill.

7 (br) "Executive branch agency" has the meaning specified in s. 16.70 (4).

COMMENT: The reference in this provision is to the definition of "executive branch agency" in state procurement law. This definition excludes the building commission.

8 **SECTION 2.** 16.956 (2) (c) of the statutes is amended to read:
9 16.956 (2) (c) Ensuring that Wisconsin is a national leader in ~~groundbreaking~~ all of the
10 following: 1. Groundbreaking research that will make alternative energies more affordable
11 and create well-paying jobs in this state.

COMMENT: Current s. 16.956 (2) directs OEI to work on initiatives with the specified goals, including the goal in par. (c). ✓

SECTION 3. 16.956 (2) (c) 2. and 3. of the statutes are created to read:

16.956 (2) (c) 2. Developing biorefineries in this state.

3. Advancing the sale and use in all types of motor vehicles of blends of gasoline and a biofuel that contain more than 10 percent of the biofuel.

SECTION 4. 16.956 (3) (a) and (c) of the statutes are amended to read:

16.956 (3) (a) Ensure and facilitate the implementation of the initiatives specified in sub. (2) and identify barriers to the implementation of such initiatives. The office shall serve as the central unit of state government to coordinate the activities of all executive branch agencies in connection with these initiatives. ✓

(3) (c) Develop energy independence policy options for consideration by the governor, legislature, and state executive branch agencies.

COMMENT: Section 16.956 (3) specifies the duties of OEI.

SECTION 5. 16.956 (4) of the statutes is created to read:

16.956 (4) Other state agencies shall assist the office in fulfilling its duties under this section to the fullest extent possible.

(END)

*110 P.L. 246, *; 122 Stat. 1651;
2008 Enacted H.R. 6124; 110 Enacted H.R. 6124*

UNITED STATES PUBLIC LAWS
110th Congress 2nd Session
(c) 2008, LEXIS-NEXIS, A DIVISION OF REED ELSEVIER INC. AND REED ELSEVIER PROPERTIES
INC.

PUBLIC LAW 110-246 [H.R. 6124]
JUN. 18, 2008
FOOD CONSERVATION AND ENERGY ACT OF 2008

110 P.L. 246; 122 Stat. 1651; 2008 Enacted H.R. 6124; 110 Enacted H.R. 6124

BILL TRACKING REPORT: 110 Bill Tracking H.R. 6124
FULL TEXT VERSION(S) OF BILL: 110 H.R. 6124

An Act

To provide for the continuation of agricultural and other programs of the Department of Agriculture through
fiscal year 2012, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress
assembled,

[*1] SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title.--This Act may be cited as the "Food, Conservation, and Energy Act of 2008".

(b) Table of Contents.--The table of contents of this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definition of Secretary.
- Sec. 3. Explanatory Statement.
- Sec. 4. Repeal of duplicative enactment.

TITLE I--COMMODITY PROGRAMS

Sec. 1001. Definitions.

....

TITLE IX--ENERGY

- Sec. 9001. Energy.
 - Sec. 9002. Biofuels infrastructure study.
 - Sec. 9003. Renewable fertilizer study.
- TITLE IX--ENERGY

[*9001] Sec. 9001. ENERGY.

(a) In General.--Title IX of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8101 et seq.) is amended to read as follows:

"TITLE IX--ENERGY

"Sec. 9001. DEFINITIONS.

"Except as otherwise provided, in this title:

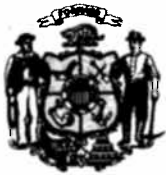
"(1) Administrator.-- The term 'Administrator' means the Administrator of the Environmental Protection Agency.

....

"(7) Biorefinery.-- The term 'biorefinery' means a facility (including equipment and processes) that--

"(A) converts renewable biomass into biofuels and biobased products; and

"(B) may produce electricity.



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-2591/1

MDK:.....

Lbjk

2009 BILL

① AN ACT ^{gen.} relating to: duties of the office of energy independence.

Analysis by the Legislative Reference Bureau

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council's Special Committee on Domestic Biofuels. The bill directs the office of energy independence (OEI) to work on initiatives that have the goals of ensuring that Wisconsin is a national leader in developing biorefineries and advancing the sale and use of intermediate blends of gasoline and a biofuel.

The bill clarifies that OEI shall serve as the central unit of state government to coordinate the activities of all state agencies in connection with the initiatives specified in the office's enabling statute and that the other state agencies shall assist the office in fulfilling its duties.

- 2 **SECTION 1.** 16.956 (1) (bg) and (br) of the statutes are created to read:
- 3 16.956 (1) (bg) "Biorefinery" means a facility, including equipment and
- 4 processes, that converts biomass into fuels and products and may produce electricity.

NOTE: This definition is based on the definition of "biorefinery" in 7 USC 8101 (7), which was created in s. 9001 (a) of the federal Food, Conservation, and Energy Act of 2008, 110 P.L. 246.

BILL

1 (br) "Executive branch agency" has the meaning given in s. 16.70 (4).

NOTE: The reference in this provision is to the definition of "executive branch agency" in state procurement law. This definition excludes the building commission.

2 SECTION 2. 16.956 (2) (c) of the statutes is renumbered 16.956 (2) (c) (intro.) and

3 amended to read:

(intro.)

4 16.956 (2) (c) Ensuring that Wisconsin is a national leader in groundbreaking
5 all of the following:

6 1. Groundbreaking research that will make alternative energies more
7 affordable and create well-paying jobs in this state.

History: 2007 a. 20.

NOTE: Current s. 16.956 (2) directs OEI to work on initiatives with the specified goals, including the goal in par. (c).

8 SECTION 3. 16.956 (2) (c) 2. and 3. of the statutes are created to read:

9 16.956 (2) (c) 2. Developing biorefineries.

10 3. Advancing the sale and use in all types of motor vehicles of blends of gasoline
11 and a biofuel that contain more than 10 percent of the biofuel.

12 SECTION 4. 16.956 (3) (a) and (c) of the statutes are amended to read:

13 16.956 (3) (a) Ensure and facilitate the implementation of the initiatives
14 specified in sub. (2) and identify barriers to the implementation of such initiatives.
15 The office shall serve as the central unit of state government to coordinate the
16 activities of all executive branch agencies in connection with these initiatives.

History: 2007 a. 20.

17 (c) Develop energy independence policy options for consideration by the
18 governor, legislature, and state executive agencies.

branch
↑ ↑

History: 2007 a. 20.

19 SECTION 5. 16.956 (4) of the statutes is created to read:

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2591/1dn

MDK:.....

ljk

Date

Larry Konopacki:

I took the liberty of making the following changes to your text. If you disagree, or want to make different changes, let me know and I will revise the bill according to your instructions.

1. In the note following proposed s. 16.956 (1) (bg), I clarified the reference to the 2008 Farm Bill.
2. In proposed s. 16.956 (2) (c) 2., I deleted "in this state."

Mark D. Kunkel
Senior Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2591/1dn
MDK:bjk:jf

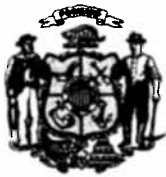
July 9, 2009

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Mark D. Kunkel
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Phone: (608) 266-0131
E-mail: mark.kunkel@legis.wisconsin.gov



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-2591/1
MDK:bjk:jf

2009 BILL

1 **AN ACT to renumber and amend** 16.956 (2) (c); **to amend** 16.956 (3) (a) and (c);
2 **and to create** 16.956 (1) (bg) and (br), 16.956 (2) (c) 2. and 3. and 16.956 (4) of
3 the statutes; **relating to:** duties of the Office of Energy Independence.

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BILL**SECTION 1**

NOTE: This definition is based on the definition of "biorefinery" in 7 USC 8101 (7), which was created in s. 9001 (a) of the federal Food, Conservation, and Energy Act of 2008, 110 P.L. 246.

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19 **SECTION 5.** 16.956 (4) of the statutes is created to read:

BILL

1 16.956 (4) Other state agencies shall assist the office in fulfilling its duties
2 under this section to the fullest extent possible.

3 (END)

Biofuels Recommendations 8/6/09

Final Draft	Topic	LRB #	Redraft Requested	Status
WLC:-0356/2	state financial assistance	- 2528	----	DONE
WLC:-0357/2	use value property tax	-2504	----	DONE
WLC:-0358/2	feedstocks assessment	-2592	----	DONE
WLC:-0359/1	management practices	-2507	----	DONE
WLC:-0360/2	carbon offset education	-2508	----	DONE
WLC:-0361/1	training assessment	-2593	----	DONE
WLC:-0362/1	regulatory burden study	-2509	----	DONE
WLC:-0363/1	marketing order	-2510	----	DONE
WLC:-0364/3	personal fuel production exemption	-2505	----	DONE
WLC:-0365/3 (3/11 amdt)	blender pump tax credit	-2503	----	DONE
WLC:-0367/2	wholesale unblended fuel	- 2506	----	DONE
WLC:-0368/5 (3/11 amdt)	renewable fuels requirement	-2511	----	DONE
WLC:-0369/2	state fleet	-2502	----	DONE (no elec. copy)
WLC:-0370/2	OEI powers & duties	-2591	----	DONE
Letter to Cong. Delegation	w/o reference to "switchgrass"			
Letter to Gov.				

R:\STOL\draft\ + Documents

Need (14)
Compile Drafts
Added To
SB 279
(LRB-3254/1)



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LEGISLATIVE REFERENCE BUREAU

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